

IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

BILLY BRANTLEY, et al.	:	Case No.	C-1-01-378
	:		
Plaintiffs,	:	Judge Susan J. Dlott	
	:		
vs.	:		
	:		
CINERGY CORP.	:	AGREED ORDER GRANTING	
	:	LEAVE TO FILE AFFIDAVIT OF	
	:	RICHARD G.BEACH, ESQ.	
Defendant.	:		
	:		

With consent of counsel and the court being in all respects duly and sufficiently advised, IT BE AND IS HEREBY ORDERED that Defendant, Cinergy Corp., be granted leave to file the Affidavit of Richard G. Beach, Esq, which was inadvertently not re-filed in conjunction with the various motions and associated pleadings which Defendant, Cinergy Corp., was required to re-file in this matter on or before August 2, 2004 per the Court's July 20, 2004 Order. This Affidavit, revised to reflect that Lawrenceburg Gas Company is no longer owned by The Cincinnati Gas & Electric Company, was previously filed in the within suit and in Case No. C-1-02 586, Michael Reed, et al. v. Cinergy Corp.

s/Susan J. Dlott
Susan J. Dlott, Judge
United States District Court

/s/ Jill T. O'Shea

Jill T. O'Shea (0034692)
Attorney for Defendant
Cinergy Corp.
139 East 4th Street, 25 Atrium II
P. O. Box 960
Cincinnati, Ohio 45201-0960
513-287-2062

/s/ Gregory v. Mersol (JTO)

Gregory V. Mersol (0030838)
John B. Lewis (0013156)
BAKER & HOSTETLER LLP
3200 National City Center
1900 East Ninth St.
Cleveland, OH 44114-3485
Telephone: (216) 621-0200

/s/ Jeffrey L. Van Way (JTO)

Jeffrey L. VanWay (0069175)
BAKER & HOSTETLER LLP
312 Walnut Street
Suite 3200
Cincinnati, Ohio 45202-4074
Phone: (513) 929-3400
Fax: (513) 929-0303

*Attorneys for Defendant
Cinergy Corp.*

Barry Vaughn Frederick (per telephone authorization 9/23/04)

Barry Vaughn Frederick
Robert L. Wiggins
Ann K. Wiggins
Susan Donahue
Robert F. Child
Wiggins, Childs, Quinn & Pantazis, P.C.
1400 South Trust Tower
420 North 20th Street
Birmingham, Alabama 35203

/s/ Paul H. Tobias (per telephone authorization of BVF on 9/23/04)

Paul H. Tobias (0032415)
David D. Kammer (0061808)
Tobias, Kraus & Torchia
911 Mercantile Library Building
414 Walnut Street
Cincinnati, Ohio 45202
513-241-8137

/s/ David W. Sanford (per telephone authorization of BVF on 9/23/04)

David W. Sanford
Eric Bachman
Charles Dixon
GORDON, SILBERMAN, WIGGINS & CHILDS, P.C.
7 DuPont Circle
Suite 200
Washington, D.C. 20036

/s/ Grant E. Morris (per telephone authorization per BVF on 9/23/04)

Grant E. Morris
LAW OFFICES OF GRANT E. MORRIS
7 DuPont Circle
Suite 250
Washington, D.C. 20036